

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT ARKANSAS

----- X  
JILL DILLARD, JESSA SEEWALD, JINGER  
VUOLO, and JOY DUGGAR,

Plaintiffs,

- against -

CITY OF SPRINGDALE, ARKANSAS;  
WASHINGTON COUNTY, ARKANSAS;  
KATHY O’KELLEY, in her individual and  
official capacities; ERNEST CATE, in his  
individual and official capacities; RICK HOYT,  
in his individual and official capacities; STEVE  
ZEGA, in his official capacity; BAUER  
PUBLISHING COMPANY, L.P.; BAUER  
MAGAZINE, L.P.; BAUER MEDIA GROUP,  
INC.; BAUER, INC.; HEINRICH BAUER  
NORTH AMERICA, INC.; BAUER MEDIA  
GROUP USA, LLC; and DOES 1-10, inclusive,

Defendants.  
----- X

Civil Action No.: 17 Civ. 5089 (TLB)

**MOTION BY DEFENDANTS BAUER PUBLISHING COMPANY, L.P.; BAUER  
MAGAZINE, L.P.; BAUER MEDIA SALES, INC.; BAUER, INC.; HEINRICH BAUER  
NORTH AMERICA, INC.; AND BAUER MEDIA GROUP USA, LLC IN SUPPORT OF  
DEFENDANTS CITY OF SPRINGDALE, ERNEST CATE, AND KATHY O’KELLEY’S  
MOTION TO CONSOLIDATE**

Defendants, Bauer Publishing Company, L.P.; Bauer Magazine, L.P.; Bauer Media Sales, Inc., formerly known as Bauer Media Group, Inc.; Bauer, Inc.; Heinrich Bauer North America, Inc.; and Bauer Media Group USA, LLC (collectively, the “Bauer Defendants”) by their attorneys, Davis Wright Tremaine LLP and Cross, Gunter, Witherspoon & Galchus, P.C., and for their Response to Defendants City of Springdale, Ernest Cate and Kathy O’Kelley (collectively, the “City Defendants”) Motion to Consolidate, state:

1. On August 10, 2017, pursuant to Fed. R. Civ. P. 42 the City Defendants filed a Motion to Consolidate for all purposes, including discovery and trial, two actions pending before

the Court: (1) Case No. 5:17-5089 (TLB), captioned *Dillard v. City of Springdale, Arkansas et al.* (herein referred to as the “First Duggar Action”); and (2) Case No. No. 5:17-5125 (TLB), captioned *Duggar v. City of Springdale, Arkansas et al.* (herein referred to as the “Josh Duggar Action.”).

2. For the reasons stated in the City Defendants’ Motion to Consolidate, the Bauer Defendants agree that the First Duggar Action and the Josh Duggar Action should be consolidated for all purposes.

WHEREFORE, the Bauer Defendants respectfully request that the Court grant the City Defendants’ Motion to Consolidate for the reasons set forth in the City Defendants’ motion.

Respectfully Submitted,

Date: August 23, 2017

By: /s/ Elizabeth A. McNamara

DAVIS WRIGHT TREMAINE LLP  
Elizabeth A. McNamara  
Jamie S. Raghu  
1251 Avenue of the Americas, 21<sup>st</sup> Floor  
New York, New York 10020  
Telephone: (212) 489-8230  
Fax: (212) 489-8340  
Email: [lizmcnamara@dwt.com](mailto:lizmcnamara@dwt.com)  
[jamieraghu@dwt.com](mailto:jamieraghu@dwt.com)

CROSS, GUNTER, WITHERSPOON &  
GALCHUS, P.C.  
Cythia W. Kolb  
500 President Clinton Avenue, Suite 200  
Little Rock, Arkansas 72201  
Telephone: (501) 371-9999  
Fax: (501) 371-0035  
Email: [ckolb@cgwg.com](mailto:ckolb@cgwg.com)

*Attorneys for Defendants Bauer Publishing  
Company, L.P.; Bauer Magazine, L.P.; Bauer  
Media Sales, Inc.; Bauer, Inc.; Heinrich Bauer  
North America, Inc.; and Bauer Media Group USA,  
LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of August, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

Lauren Wulfe  
Robert O'Brien  
Steven Bledsoe  
Larson O'Brien LLP  
555 S. Flower Street  
Suite 4400  
Los Angeles, CA 90071

Sarah Coppola Jewell  
Shawn B. Daniels  
Hare Wynn Newell Newton LLP  
129 West Sunbridge Drive  
Fayetteville, AR 72703

Jason E. Owens  
Rainwater, Holt & Sexton, P.A.  
P.O. Box 17250  
Little Rock, AR 72222-7250

Robert Justin Eichmann  
Thomas N. Kieklak  
Harrington, Miller, Kieklak, Eichmann & Brown, P.A.  
4710 S. Thompson, Ste. 102  
Springdale, AR 72764

Susan Keller Kendall  
Kendall Law Firm, PLLC  
3706 Pinnacle Hills Parkway  
Suite 201  
Rogers, AR 72758

/s/ Jamie S. Raghu